

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	CR No.: 3:09-500-JFA
)	
v.)	ORDER
)	
JAMES CORNELIUS EDGERTON)	
)	
_____)	

This matter is before the court upon defendant's motion for a reduction of sentence (ECF No. 790) filed pursuant to 18 U.S.C. § 3582. The motion is based on Amendment 750 to the United States Sentencing Guidelines regarding crack cocaine offenses which lowered the crack cocaine disparity ratio from 100 to 1 to 18:1.

The government has responded in opposition to the motion noting that the Presentence Report in the defendant's case was based upon a 1 to 1 crack to cocaine ratio. The defendant was sentenced to a term of imprisonment of 87 months after receiving a safety valve reduction (allowing him to be sentenced below the mandatory minimum of 10 years) and a further variance from the sentencing guidelines.

The defendant has already received the benefit of a sentence reduction based upon a 1 to 1 ratio which is less than the recent 18 to 1 change in Amendment 750.

Accordingly, the defendant's motion for a reduction of his sentence (ECF No. 790) is denied.

IT IS SO ORDERED.

November 7, 2011
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge